



**Office of the Attorney General
Robert E. Cooper, Jr.**

**Department of Commerce and Insurance
Commissioner Leslie Shechter Newman**

CONSUMER ALERT

Office of the Attorney General
P.O. Box 20207 Nashville, TN 37202-0207

Department of Commerce and Insurance
Division of Consumer Affairs
500 James Robertson Parkway Nashville, TN 37243

Feb. 12, 2007
#07-10

CONTACT:
Sharon Curtis-Flair
(615) 741-5860

**BEWARE OF ORDER GATHERERS WHEN SENDING FLOWERS, ATTORNEY
GENERAL SUGGESTS**

Flowers are one of the most popular gifts to send on Valentine's Day, but if you order flowers through an order gatherer instead of your local florist, you could be paying more for a smaller arrangement than you would going through a local florist.

Often consumers call a local phone number and think they are reaching their local florist when they are actually dealing with an order gatherer. Many floral order gatherer businesses pose as local florists using confusing geographic business names. Order gatherers ultimately take consumers away from local florists for those consumers who wanted to buy their flowers locally.

Most of the major floral order gatherers do not have physical locations in Tennessee, do not create floral arrangements in Tennessee, and do not keep flowers in inventory in Tennessee. Instead, floral order gatherers act as brokers who refer orders received to other florists for fulfillment according to the fee structure imposed by the wire service agreements of such companies as Teleflora and FTD. If you choose to order from order gatherers, most often a fee will be taken off the top of the amount you paid for flowers before it is passed to a local Teleflora or FTD participating florist to fulfill.

Floral order gatherers receive a sizeable portion of the total cost of the order simply for taking and referring an order to actual florists. As a result of this fee structure, a consumer usually

receives fewer flowers or less expensive flowers than they would by doing business directly with a local florist.

In September, the Attorney General's Office took action against Teleflorist, Inc. for similar conduct. Information about that litigation and settlement is available at our website at <http://www.attorneygeneral.state.tn.us/cases/teleflorist/florist.htm>

“Unfortunately, most consumers do not realize that they are not dealing with a local florist,” Attorney General Cooper said. “We want to make sure that consumers make an informed choice and know who they are dealing with when they place an order for flowers this Valentine's Day.”

When purchasing flowers, General Cooper suggests the following tips:

- * If you wish to avoid order gatherers , deal only with shops that list a street address with their phone number.
- *If you are using directory assistance for a number, also ask for the street number and address. If there isn't one, call your local phone provider to see if that florist has a local address.
- *Get recommendations from neighbors, family or friends of a good florist in your area. Also, consult the Tennessee Division of Consumer Affairs and the Better Business Bureau to see if there have been any complaints against the florist you are considering using.
- *Ask the florist to itemize the charges and tell you the total cost of your order will be before providing your credit card or other payment information. In addition to the price of the floral arrangement, most florists , including those in Tennessee, charge a delivery fee and taxes if you live in the same state.
- *Ask the florist for directions to the shop. If they hesitate or refuse, consider this a red flag. If you want to buy from a local florist, consider doing business with one with a local address.
- *If you can pay the entire balance off in one month, consider paying by credit card because it may provide you with charge back remedies if your flowers aren't delivered or if they are not what you requested.